

VIA TELEFACSIMILE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kolesnick et al. Confirmation No.: 8412
Serial No.: 09/928,872 Art Unit: 1644
Filed: August 13, 2001 Examiner: Huynh, Phuong N.
For: METHODS FOR THE MODULATION OF ACID-SPHINGOMYELINASE-RELATED APOPTOSIS Attorney Docket No.: 6923-106

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents
P.O. Box 1450
Mail Stop AF
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 30, 2004 of the Primary Examiner finally rejecting claims 10 and 11 of the above-identified application.

The item(s) checked below are appropriate:

1. ☐ An extension of time for responding to the final rejection for _____ month(s):
☐ was filed on _____
☐ is submitted herewith.
2. ☒ A timely response to the final rejection has been filed.
3. ☐ A fee in the amount of \$330.00 is:
☐ Required.
☐ Not required (Fee paid in prior appeal).
4. ☒ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$165.00 is:
☐ Required.
☒ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Jones Day Deposit Account No. 503013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: April 12, 2004


Geraldine F. Baldwin

31,232

(Reg. No.)

JONES DAY

222 East 41st Street

New York, New York 10017

(212) 326-3939

NYJD: 1517611.1